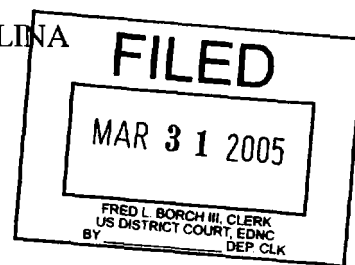


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:95-CR-57-4-F



UNITED STATES OF AMERICA

v.

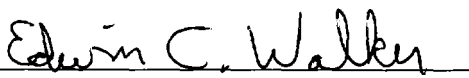
MICHAEL SMITH

NOTICE OF APPEAL

Michael Smith, by and through his undersigned attorney, respectfully gives notice pursuant to Rule 4(b) of the Federal Rules of Appellate Procedure that he is appealing the Judgement entered by Senior United States District Judge James C. Fox on March 29, 2005, to the United States Court of Appeals for the Fourth Circuit.

Respectfully submitted this 31st day of March 2005.

THOMAS P. MCNAMARA
Federal Public Defender


Edwin C. Walker
First Assistant Federal Public Defender
N.C. State Bar No. 9019

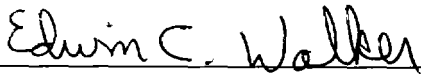
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served upon:

Anne Hayes
Assistant United States Attorney
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461

by depositing in the U.S. mail a copy of same.

This the 31st day of March 2005.



Edwin C. Walker
First Assistant Federal Public Defender
N.C. State Bar No. 9019